

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED

APR 12 2006

JOHN T. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

EARSLINE E. DILLARD,

) CASE NO. 3:05CV00019

Plaintiff

)

v.

) REPORT AND RECOMMENDATION

JO ANNE B. BARNHART
Commissioner of Social Security,

) By: B. Waugh Crigler
U. S. Magistrate Judge

Defendant

)

The Commissioner having advised the court that she has no objection to an award of attorney fees to C. Cooper Geraty, Esq. in the amount of Three Thousand Two Hundred Sixty-Two and 50/100 Dollars (\$3,262.50) under the Equal Access to Justice Act (EAJA), 28 U.S. C. § 2412(d). Therefore, it is hereby

RECOMMENDED

that an Order enter awarding counsel for plaintiff, C. Cooper Geraty, Esq. the sum of Three Thousand Two Hundred Sixty-Two and 50/100 Dollars (\$3,262.50) under the EAJA.

The Clerk is directed to immediately transmit the record in this case to the presiding United States District Judge. Both sides are reminded that pursuant to Rule 72(b) they are entitled to note objections, if any they may have, to this Report and Recommendation within (10) days hereof. Any adjudication of fact or conclusion of law rendered herein by the

undersigned not specifically objected to within the period prescribed by law may become conclusive upon the parties. Failure to file specific objections pursuant to 28 U.S.C. § 636(b)(1)(C) as to factual recitations or findings as well as to the conclusions reached by the undersigned may be construed by any reviewing court as a waiver of such objection. The Clerk is directed to send a certified copy of this Report and Recommendation to all counsel of record.

ENTERED:

Judge

Date